

## Message Text

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ORIGIN TRSE-00

INFO OCT-01 EUR-12 ISO-00 EB-07 STR-04 CIAE-00 INR-07

NSAE-00 COME-00 L-03 /034 R

DRAFTED BY TREAS:LPOTTS:JH

APPROVED BY EB/OT/STA:TO'HERRON

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EUR/CE:JHURLEY

STR:HLAWRENCE (INFO)

EUR/CEJHURLEY

-----033895 020639Z /12

R 011739Z JUL 77

FM SECSTATE WASHDC

TO AMEMBASSY VIENNA

INFO AMCONSUL FRANKFURT

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FRANKFURT PASS CUSTOMS

E.O. 11652: N/A

TAGS: ETRD, AU

SUBJECT: ANTIDUMPING PROCEEDINGS -- RAILWAY TRACK

MAINTENANCE EQUIPMENT

1. AUSTRIAN FINANCE MINISTER ANDROSCH GAVE THE FOLLOWING  
AIDE MEMOIRE ON THE AUSTRIAN ANTIDUMPING INVESTIGATION OF  
RAILWAY TRACK MAINTENANCE EQUIPMENT FROM AUSTRIA TO  
TREASURY SECRETARY BLUMENTHAL IN PARIS AT THE OECD  
MINISTERIAL MEETING ON JUNE 23. BEGIN TEXT

FOR MANY YEARS THE AUSTRIAN COMPANY "PLASSER AND THEURER",  
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PRODUCERS OF RAILWAY TRACK MAINTENANCE EQUIPMENT, HAVE  
BEEN EXPORTING RAILWAY CONSTRUCTION MACHINERY TO THE  
UNITED STATES OF AMERICA. IN 1971 THE U.S. TREASURY  
DEPARTMENT INITIATED AN ANTIDUMPING PROCEDURE AGAINST  
THIS COMPANY WITH REGARD TO TAMPING MACHINERY. IN 1973,  
AFTER THE COMPANY PROVED THAT NO ANTIDUMPING REGULATIONS  
HAD BEEN VIOLATED THIS PROCEDURE WAS STOPPED ON A PRO-

VISIONAL BASIS.

UPON REQUEST BY THE AMERICAN PRODUCER "TAMPER LTD" THE PROCEDURE WAS OPENED AGAIN AT THE END OF LAST YEAR AND FURTHERMORE EXTENDED TO "GRAVEL PLOUGHES." THE LATTER

TYPE OF MACHINERY WAS NOT COVERED BY THE PREVIOUS PROCEEDING. FROM FEBRUARY TO APRIL 1977 INVESTIGATION OFFICERS OF THE U.S. CUSTOMS DEPARTMENT INVESTIGATED WITH AUSTRIAN PRODUCER IN AUSTRIA AND ALL INFORMATIONS REQUESTED WAS SUBMITTED. ON 10 MAY 1977, WITHOUT AWAITING THE RESULT OF THESE INVESTIGATIONS, THE U.S. TREASURY DEPARTMENT PUBLISHED A WITHHOLDING APPRAISEMENT NOTICE AND DECIDED ON A SIXTY TWO PERCENT AD VALOREM DUMPING RATE.

THE AUSTRIAN PRODUCER IS PARTICULARLY HARD HIT BY THIS MEASURE AND HENCE WAS VIGOROUSLY PROTESTED AGAINST THIS ACTION THROUGH THEIR AMERICAN COUNSELORS. IN THE OPINION OF THE PLASSER AND THEURER THIS PRELIMINARY DECISION OF THE TREASURY DEPARTMENT IS BASED SOLELY ON ASSERTIONS AND UNVERIFIED DOCUMENTS SUBMITTED BY THE AMERICAN COMPETITORS WHILE THE INFORMATIONS PROVIDED BY PLASSER AND THEURER HAVE NOT BEEN TAKEN INTO ACCOUNT. PLASSER AND THEURER IS VERY MUCH CONCERNED THAT THE DECISION OF THE TREASURY DEPARTMENT WILL SERIOUSLY AFFECT THEIR LIMITED OFFICIAL USE

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TRADITIONAL EXPORTS OF RAILWAY CONSTRUCTION AND MAINTENANCE MACHINERY TO THE USA, WHICH, IN 1976, AMOUNT APPROXIMATELY TO FIFTEEN PERCENT OF THEIR EXPORTS. THUS, THIS DECISION WOULD LEAD TO A SUBSTANTIAL LIMITATION OF THEIR PRODUCTION AND CONSEQUENTLY TO A SERIOUS THREAT OF UNEMPLOYMENT. END TEXT.

2. RESPONSE TO AUSTRIAN AIDE MEMOIRE WILL BE PROVIDED SHORTLY. CHRISTOPHER

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NNN

## Message Attributes

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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** EQUIPMENT, INVESTIGATIONS, ANTIDUMPING LAW (TRADE), AIDE MEMOIRE, ROLLING STOCK  
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**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
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**Disposition History:** n/a  
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**Drafter:** LPOTTS:JH  
**Enclosure:** n/a  
**Executive Order:** N/A  
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**Original Handling Restrictions:** n/a  
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**To:** VIENNA  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
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